

REMARKS

Favorable consideration of this Application as presently amended and in light of the following discussion is respectfully requested.

After entry of the foregoing Amendment, Claims 195-202 are pending in the present Application. Claims 195-198 and 201 have been amended. Support for the amendment of the claims can be found in the specification and claims, as originally filed. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 195-201 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kalra et al. (U.S. Patent No. 6,490,627, hereinafter Kalra) in view of Ginter et al. (U.S. Patent No. 6,658,568, hereinafter Ginter)

REJECTION UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 195-201 under 35 U.S.C. § 103 as being unpatentable over Kalra in view of Ginter. The Official Action cites Kalra as disclosing all of the aspects of the Applicants' claimed invention, with the exception of distributing content wherein the content includes auxiliary data items having an effective reproduction date. The Official Action cites Ginter as disclosing this more detailed aspect of the Applicant's invention and states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references for arriving at the Applicant's claims. Applicant respectfully traverses the rejection.

Amended Claim 195 recites, *inter alia*, a data-providing system, including:

... an edit control section configured to perform an editing operation on the attributes of each program data and auxiliary data items, thereby automatically assembling new content data; and
a second data-transmitting section configured to select the auxiliary data items to be inserted into the program data in accordance with the new content data assembled by the edit control section, thereby to transmit a continuous stream of adapted content data that includes multimedia content groups, each composed of the program data and the auxiliary data items, wherein at least one of the auxiliary data items include an effective reproduction date. (emphasis added)

Kalra describes a system for delivering a plurality of compressed multimedia streams to a user. As shown in Fig. 1, multimedia data (12) is provided as a plurality of scalable digital streams (14) based upon the operation of a transcoder (10). These digital streams include MPEG, and a variety of well-known compressed formats for digital video, 3D graphics and digital audio.¹ As shown more specifically in Fig. 2A, the stream data is provided to a stream management module (20). The stream management module obtains a desired resolution profile from a multimedia device (22). Based upon the desired resolution profile of the multimedia device, the stream management module selects an appropriate base stream and additive stream from the available adaptive digital data streams. In this way, stream data is delivered to the multimedia device in accordance with its resolution profile.

Conversely, in an exemplary embodiment of the Applicant's invention, content data is provided from a data transmitting section; the content data includes multimedia content groups, each including programming data and auxiliary data. An editing control section is provided to perform an editing operation on the attributes of each program data and auxiliary data items. In this manner, a program stream having attributes corresponding to the editing

¹ Kalra at column 3, line 66 through column 4, line 12; Fig. 1.

process may be provided to a user for presenting new content data. In this regard, Claim 195 specifically recites editing:

... the attributes of each program data and auxiliary data items,
thereby automatically assembling new content data . . .

As can be appreciated, the editing interaction in the delivery of multimedia content enables customization of the program data based upon the profile of the user. For example, if the multimedia content is a guide teaching how to prepare an annual income report, the delivery of this content may be revised based upon the user having a special interest in profit handling of real estate transactions. Likewise, the user may receive a stock market report centering on a specific stock he or she owns.²

As Kalra simply describes matching an available digital stream in accordance with a resolution profile of a multimedia device, it cannot be said to disclose or suggest an editing control section for providing new content data, as recited in Applicants' amended Claim 195 and any claim depending therefrom. This is because the same content in different screen resolutions is not different content, but merely different presentations of the same content. As Ginter does not remedy the deficiencies discussed above, Applicant respectfully submits that a *prima facie* case of obviousness has not been presented. Accordingly, Applicants respectfully request that the rejection of Claims 195 – 201 under 35 U.S.C. § 103 be withdrawn.

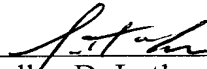
² Application at page 73.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 195-202, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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